

certified copy of his inmate trust account for the previous six-month period,³ and a statement of the issues to be presented on appeal.

It appears from the application the petitioner lacks sufficient financial resources to pay the \$505.00 filing fee. Accordingly, pursuant to 28 U.S.C. § 1915(b), petitioner will be allowed to proceed on appeal without the prepayment of costs or fees or security therefor.

Petitioner is herewith assessed the \$505.00 fee for filing an appeal. Pursuant to 28 U.S.C. § 1915(b)(1)(A) and (B), the custodian of the petitioner's inmate trust account at the institution where he now resides is directed to submit to the Clerk, U.S. District Court, 800 Market Street, Suite 130, Knoxville, Tennessee 37902, as an initial partial payment, whichever is greater of:

(a) twenty percent (20%) of the average monthly deposits to the petitioner's inmate trust account; *or*

(b) twenty percent (20%) of the average monthly balance in the petitioner's inmate trust account for the six-month period preceding the filing of the appeal on July 18, 2014.

Thereafter, the custodian shall submit twenty percent (20%) of petitioner's preceding monthly income (or income credited to the petitioner's trust account for the preceding month), but only when such monthly income exceeds ten dollars (\$10.00),

³ Petitioner filed a computer-generated document setting forth all transactions for his account at Victorville Federal Correctional Complex with his application, which this Court deems to be the institutional equivalent of a certified copy of his inmate trust account statement in accordance with 28 U.S.C. § 1915(a)(2).

until the full filing fee of Five Hundred Five Dollars (\$505.00) has been paid to the Clerk.
28 U.S.C. § 1915(b)(2).

The Clerk is **DIRECTED** to send a copy of this Memorandum and Order to the Warden of the Victorville Federal Correctional Complex to ensure that the custodian of the petitioner's inmate trust account complies with that portion of the Prison Litigation Reform Act relating to payment of the filing fee. The Clerk is further **DIRECTED** to forward a copy of this Memorandum and Order to the Court's financial deputy.

SO ORDERED.

ENTER :

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE